

**To:** Ferrell, Mark[Ferrell.Mark@epa.gov]  
**From:** Mark Ferrell  
**Sent:** Tue 2/11/2014 1:14:01 AM  
**Subject:** [POSSIBLE SPAM] Fwd: ROCKEFELLER: IT IS DANGEROUS TO RELY ON INDUSTRY TO DO THE RIGHT THING

Sent from my iPhone

Begin forwarded message:

**From:** "Rockefeller, Press (Rockefeller)" <Press@rockefeller.senate.gov>  
**Date:** February 10, 2014 at 9:12:02 AM EST  
**Subject:** ROCKEFELLER: "IT IS DANGEROUS TO RELY ON INDUSTRY TO DO THE RIGHT THING"



**FOR IMMEDIATE RELEASE**

Andrew J. Beckner  
February 10, 2014  
(in WV)  
  
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## **ROCKEFELLER: "IT IS DANGEROUS TO RELY ON INDUSTRY TO DO THE RIGHT THING"**

WASHINGTON, D.C. - Senator Jay Rockefeller today offered the following statement for the record as part of today's hearing of the U.S. House Committee on Transportation and Infrastructure regarding the January 9<sup>th</sup> chemical spill along

the Elk River:

**Statement of Senator John D. Rockefeller IV**  
**U.S. House Committee on Transportation and Infrastructure Hearing on the**  
**Charleston, West Virginia Chemical Spill**  
**February 10, 2014**

Chairman Shuster, Ranking Member Rahall, and Members of the Committee, I thank you for holding this hearing today.

For 10 days following the January 9th chemical spill, 300,000 West Virginians were told not to use their water for drinking, cooking, cleaning, bathing or washing. Despite government assurances that the water is safe, doubt lingers. And now, a month after the spill, too many unanswered questions remain.

It has been a financially taxing and emotionally draining month for families and businesses who have struggled with concerns about the water's safety, worries about long-term health effects of this chemical exposure, and the noxious odor that remains in their water. State and federal agencies are working to find answers, but deficiencies in our regulatory structure and the lack of adequate funding for federal agencies have made their jobs infinitely more difficult.

We must ensure that no West Virginian is left doubting our future and our regulatory scheme at the state or federal level.

We have learned the hard way that it is dangerous to simply rely on industry to do the right thing. Industry has long resisted new regulations or stronger enforcement measures. It is short-sighted to think that last month's spill is an isolated incident in West Virginia. And it is short-sighted to think that proper regulations would in any way stifle business—the contrary is true. Good businesses cannot thrive or even survive if they must shoulder the costs when bad actors get away with cutting corners. It's time to acknowledge that industry is not looking out for you. Too many in industry are driven solely by maximized profits, and this cynical strategy has caused tremendous harm to West Virginians' well-being and has shaken their sense of our state's future.

However, I have been encouraged to hear so many passionate and articulate people who love West Virginia step up and demand that we protect our future. We know that we can no longer trade the public's health and welfare for industry profits.

Because I believe this disaster revealed troubling inadequacies, I began requesting resources and support on day one, and have continued those efforts every day since.

In the hours following the spill, I asked the Chemical Safety Board to open an investigation into the root cause of the spill. Knowing that the Chemical Safety Board's mission is seriously strained by irresponsible funding cuts that left it understaffed and overworked, I worked with my colleagues working on the Fiscal Year 2014 omnibus to secure additional resources to help the Board do its job.

People have been understandably worried about their health. And to address those concerns I asked the Centers for Disease Control and the Environmental Protection Agency to work on a joint study into the long-term health risks associated with this chemical spill.

As everyone worked to respond to the crisis, we learned that no one knew enough about the chemicals that poisoned the water. So, I contacted the National Institute of Environmental Health Sciences and Centers for Disease Control asking that any studies, new findings or outside data be shared among the many federal and state agencies working to address this spill, as well as with the public, as fully and as quickly as possible.

I am also addressing the problem through legislation. Senator Manchin and I, along with Senator Boxer, introduced a bill that would require regular state inspections of chemical storage facilities and make sure the chemical industry is held accountable for developing an emergency response plan for their facilities when an incident like this occurs.

In addition, I cosponsored two bills with Senator Schatz that would hold companies like Freedom Industries accountable when spills of non-hazardous substances occur, and provide state and federal governments with access to funding that can cover the costs associated with cleaning up a chemical spill.

Locally, I've remained in close contact with state agencies and the National Guard and have written letters to West Virginia American Water asking for more transparency and clarity in what the company is doing to minimize the risk to its customers.

Let me be clear: I have been deeply frustrated and disappointed with the halting and slow flow of information West Virginians need to make good decisions about the use of their tap water. As West Virginians make decisions about the water they use, they must have straightforward answers about possible contaminants in the water. Their confidence will only be restored when they are sure that everyone across the board—businesses, manufacturers and government officials—is being up front and doing everything possible to protect their health and safeguard their water.

I thank the Committee for focusing its attention on this tragic incident in West Virginia that has dramatically impacted the lives of so many wonderful people in this state. We need to do everything possible to make sure a disaster like this never has to happen again, and we must make sure that those who are responsible for this situation are held accountable. Please know that I am fully committed to these goals.

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